

*[No Minutes Were Generated on Monday, November 11, 1997,
Due to the Court's Observance of Veterans Day.]*

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**SUPREME COURT MINUTES
WEDNESDAY, NOVEMBER 12, 1997
SAN FRANCISCO, CALIFORNIA**

S054826 United Services Automobile Association et al., Petitioners
4th Dist. v.
G020019 Orange County Superior Court, Respondent
Div. 3 James Scott Riley, Real Party in Interest
 Petitions for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S059064 Jeffrey Lane et al., Appellants
2nd Dist. v.
B090258 Hughes Aircraft Company, Respondent
Div. 7 Respondent's petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S063524 People, Respondent

4th Dist. v.

E016805 Johnny Ardean Hagen, Appellant

Div. 2

The petition for review of Johnny Ardean Hagen is GRANTED. The issues to be briefed and argued are specified as follows (Cal. Rules of Court, rule 29.2(b)): (1) Was the jury correctly instructed on the meaning of “willfully” in former Revenue and Taxation Code section 19405, subdivision (a)(1)? (2) Was the evidence sufficient to prove defendant acted willfully? and (3) Is the offense defined in former Revenue and Taxation Code section 1940.1, subdivision (a), a lesser included offense of that defined in section 19405, subdivision (a)(1)?

The petition for review of Patricia Hagen is denied.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

S063987 People, Respondent

2nd Dist. v.

B105231 David Deloza, Appellant

Div. 7

Petitions for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Deloza*, S061929 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S064081 People, Respondent
6th Dist. v.
H015707 Binh Phuoc Nguyen, Appellant
 Appellant's petition for review GRANTED.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Brown, J.

S064118 People, Respondent
4th Dist. v.
D025078 Caesar Augustus Lopez, Appellant
Div. 1 Appellant's petition for review GRANTED.

The issues to be argued before this court shall be limited to whether Penal Code section 647.6, subdivision (a), is a lesser included offense of Penal Code section 288, subdivision (a).

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S064458 People, Respondent
4th Dist. v.
E017694 Lou Moore, Appellant
Div. 2 Respondent's petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S064568 Berta Sandoval et al., Appellants
2nd Dist. v.
B098162 State of California, Respondent
Div. 3 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Toland v. Sunland Housing Group, Inc.*, S050870 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S064830 Thomas C. Papst, Respondent
6th Dist. v.
H015400 Safeway, Inc., Appellant
Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Cotran v. Rollins Hudig Hall*, S057098 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S064838 Steve H., Appellant
2nd Dist. v.
B107640 Wendy S., Respondent
Div. 1 Petition for review GRANTED.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Brown, J.

2nd Dist. People, Respondent
B099657 v.
Div. 7 Don Michael Bierman, Appellant
S064007 Respondent's petition for review GRANTED.
The matter is transferred to the Court of Appeal, Second
Appellate District, Division Seven, with directions to vacate its
decision and to reconsider in light of *People v. Fuhrman* (1997) 16
Cal.4th 930.
Appellant's petition for review DENIED.

George, C.J.
Kennard, J.
Baxter, J.
Chin, J.
Brown, J.

6th Dist. Department of Motor Vehicles, Petitioner
H017138 v.
S064648 Workers' Compensation Appeals Board et al., Respondents
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its order denying the writ petition and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S058619 Americans for NonSmokers' Rights et al., Respondents
3rd Dist. v.
C022275 State of California et al., Appellants

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Third Appellate District.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S006640 People, Respondent

v.

Gary Dale Hines, Appellant

Counsel for appellant Gary Dale Hines represents that he will submit to the United States Supreme Court a timely petition for writ of certiorari seeking review of this court's decision affirming the judgment of death. Accordingly, the application for stay of execution is granted and execution of the judgment of death entered against appellant by the Sacramento County Superior Court, and affirmed by this court on June 26, 1997, is hereby stayed pending final determination of any timely filed petition for certiorari in the United States Supreme Court. If a petition for writ of certiorari is not submitted within the time prescribed, this stay will terminate when the time for submitting such petition has expired.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S062453 People, Respondent

v.

George John Blakeley, Appellant

The issues to be argued before this court shall be limited to the first question raised in the petition for review: Whether imperfect self-defense with no intent to kill constitutes a form of involuntary manslaughter. (Rule 29.2(b), California Rules of Court.)

S064429 In re Jamal M. Kasim on Habeas Corpus
4th Dist. -----
D021800 People, Respondent
D023866 v.
Div. 1 Jamal M. Kasim, Appellant
 The September 16, 1997, filing of the petition for review is
 hereby vacated.

S051436 Los Angeles County Metropolitan Transportation, Appellant
2nd Dist. v.
B082484 Continental Development Corporation, Appellant
Div. 7 Petition for rehearing DENIED.
 Kennard, J., and Baxter, J., are of the opinion the petition should
 be granted.

S055400 People, Respondent
4th Dist. v.
E014394 Jesus Sandoval Macias, Appellant
Div. 2 Petition for rehearing DENIED.
 Mosk, J., and Kennard, J., are of the opinion the petition should
 be granted.

S064357 Joseph H. Marman, Petitioner
 v.
 State Bar of California, Respondent
 Application for stay, petition for writ of review and request for
 recusal denied.

S064723 Alan Louis Thompson, Petitioner
 v.
 Los Angeles County Superior Court, Respondent
 People, Real Party in Interest
 Petition denied as moot.
 Application for stay denied.

S065350 Steve Aronovsky, Petitioner
 v.
 Court of Appeal First Appellate District Div. Five, Respondent
 Jay N. Nguyen et al., Real Parties in Interest
 Application for stay and petition for writ of mandate DENIED.

Orders were filed in the following matters denying petition for writ of habeas corpus:

- S040798 - In re Drax Quartermain on Habeas Corpus. Petition for writ of habeas corpus is DENIED as moot.
- S060355 - In re Todd Lamont Gillard on Habeas Corpus.
- S060383 - In re Leonard Ricardo on Habeas Corpus. Petition for writ of habeas corpus is DENIED.
Chin, J., did not participate.
- S062864 - In re Peter Bogart on Habeas Corpus.
- S063320 - In re Francis W. Davis on Habeas Corpus. Application for stay and petition for writ of habeas corpus is DENIED.
- S065347 - In re Alan S. Luster on Habeas Corpus.

1st Dist. LMP Corporation et al., Respondents
A068408 v.
Div. 3 Universal Manufacturing Corporation et al., Appellants
S064528 Petition for review DENIED.
The request for an order directing publication of the opinion is DENIED.
Werdegarr, J., and Chin, J., did not participate.

1st Dist. People, Respondent
A069375 v.
Div. 1 Robert Charles Kemper, Appellant
S063912 Appellant's petition for review DENIED.

1st Dist. Mary Wiggins et al., Respondents
A071458 v.
Div. 5 Owens-Corning Fiberglas Corporation, Appellant
S064922 And Companion Case
Petition for review DENIED.

1st Dist. People, Respondent
A072329 v.
Div. 2 Cory J. Chandler, Appellant
S063881 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A072410 v.
Div. 3 Harrison Butler, Appellant
S064072 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A072523 v.
Div. 1 Sam Chiam Saelee, Appellant
S064147 Appellant's petition for review DENIED.

1st Dist. Milton Horowitz et al., Respondents
A072695 v.
Div. 5 Lorillard Incorporated et al., Appellants
S064550 Appellants' petition for review DENIED.
Chin, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A072899 v.
Div. 4 Carlos Roberto Cruz et al., Appellants
S063969 Appellants' petitions for review DENIED.

1st Dist. In re the Marriage of Bellevue
A073346 -----
Div. 4 John M. Bellevue, Appellant
S064787 v.
Deloris M. Bellevue, Respondent
Petition for review DENIED.

1st Dist. People, Respondent
A073673 v.
A074025 John R. Velasquez, Appellant
Div. 5 Appellant's petition for review DENIED.
S064172

1st Dist. Citizens for Responsible Government, Appellant
A073708 v.
Div. 1 City of Albany, Respondent
S064254 Ladbroke Racing California Incorporated et al.,
Real Parties in Interest
Real Party in Interest's petition for review DENIED.

1st Dist. People, Respondent
A073730 v.
Div. 4 Lincoln Steffen Linsmith, Appellant
S064173 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A073848 v.
Div. 5 Whittier Buchanan, Appellant
S064911 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A073943 .
Div. 2 Richard A. Catalano, Appellant
S064818 Appellant's petition for review DENIED.

1st Dist. Gestalt Development Corporation, Appellant
A074003 v.
Div. 2 Oakland Redevelopment Agency, Respondent
S064644 Respondent's petition for review DENIED.

1st Dist. Candace Love, Appellant
A074219 v
Div. 2 Regents of the University of California, Respondent
S064004 Respondent's petition for review DENIED.
Baxter, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A074244 v.
Div. 4 Thomas Jule Flores, Appellant
S064860 Appellant's petition for review DENIED.

1st Dist. A074739 Div. 2 S064891	People, Respondent v. Cristobal Castanon, Appellant Appellant's petition for review DENIED.
1st Dist. A075238 Div. 1 S064727	People, Respondent v. Mario T. Ratliff, Appellant Appellant's petition for review DENIED.
1st Dist. A075479 Div. 2 S064666	People, Respondent v. Thomas Harold Koontz, Appellant Appellant's petition for review DENIED.
1st Dist. A075558 Div. 1 S064665	People, Respondent v. Dexter B. Brown, Appellant Appellant's petition for review DENIED.
1st Dist. A075674 Div. 2 S064820	People, Respondent v. Michael Marcus Herman, Appellant Appellant's petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
1st Dist. A075737 Div. 4 S064760	James R. McGettigan, Appellant v. Bay Area Rapid Transit District, Respondent Appellant's petition for review DENIED. Werdegar, J., is of the opinion the petition should be granted.
1st Dist. A075895 Div. 1 S064816	People, Respondent v. Clifford R. Rhoads, Appellant Appellant's petition for review DENIED.
1st Dist. A075923 Div. 4 S064969	George Soehngen, Appellant v. A.L. Susini et al., Respondents Appellant's petition for review DENIED.

1st Dist. People, Respondent
A076261 v.
Div. 3 Marlon James Puckett, Appellant
S064805 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A076463 v.
Div. 1 Marquette E., Appellant
S064307 Appellant's petition for review DENIED.

1st Dist. Carmen Doe et al., Respondents
A076721 v.
Div. 5 Community Health Foundation of East Los Angeles, Respondent
S064863 Pete Wilson, Appellant
Respondent's petition for review DENIED.
The requests for an order directing depublication of the opinion
are DENIED.

1st Dist. George Gerber, Petitioner
A078356 v.
Div. 5 Workers' Compensation Appeals Board et al., Respondents
S064230 And Farmers Brothers
Petition for review DENIED.

1st Dist. Thomas Tuan Nguyen, Appellant
A079361 v.
Div. 2 Paul Kwan, Respondent
S064899 Appellant's petition for review DENIED.

1st Dist. In re Richard Cross
A079925 on
Div. 2 Habeas Corpus
S064796 Petition for review DENIED.

2nd Dist. Alma Millet, Appellant
B089993 v.
Div. 2 Fernando Valdivia et al., Respondents
S064743 Petition for review DENIED.

2nd Dist. Anthony R. Brookman, Jr., Appellant
B091733 v.
Div. 1 Grammer AG, Respondent
S064909 Appellant's petition for review DENIED.

2nd Dist. Harold Landaker, Appellant
B091877 v.
Div. 7 Warner Brothers Incorporated et al., Respondents
S064358 Respondents' petitions for review DENIED.
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed August 6, 1997, which appears at 56 Cal.App.4th 1294. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

2nd Dist. Progressive Casualty Insurance, Appellant
B092354 v.
Div. 2 Truck Insurance Exchange, Respondent
S064722 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B092666 v.
Div. 1 James Montgomery, Appellant
S064233 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B096123 v.
Div. 7 James Lum Shamburger, Appellant
S064746 Appellant's petition for review DENIED.

2nd Dist. E. Kay Trout, Appellant
B096337 v.
Div. 1 Family Savings Bank, Respondent
S064082 Petition for review DENIED.

2nd Dist. Carmen Alva, Respondent
B096474 v.
Div. 4 Pat Miranda et al., Appellants
S064908 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B096612 v.
Div. 2 Francisco Javier Ochoa et al., Appellants
S063857 Appellants' petitions for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Quick & Reilly Incorporated, Respondent
B097281 v.
Div. 1 Harold L. Myers, Appellant
S064752 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B097810 v.
Div. 1 Raul Garcia Molina et al., Appellants
S063968 Appellants' petition for review DENIED.

2nd Dist. People, Respondent
B097944 v.
Div. 4 Leonard Milstein, Appellant
S064130 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B098318 v.
Div. 2 Vincent Marthell Harmon, Appellant
S064659 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B098673 v.
Div. 7 Michael Davis, Appellant
S064827 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B098793 v.
Div. 1 Michael Lynn Perry, Appellant
S064720 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B098837 v.
Div. 4 Arturo Garibay, Appellant
S064006 Respondent's petition for review DENIED.
Baxter, J., is of the opinion the petition should be granted.

2nd Dist. Herbert Hafif et al., Appellants
B098883 v.
Div. 1 Phillip E. Benson, Respondent
S0651464 Appellants' petition for review DENIED.

2nd Dist. Audre Slater, Appellant
B099195 v.
Div. 5 Santa Monica Rent Control Board, Respondent
S064541 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B099968 v.
Div. 2 Todd Adam Carter, Appellant
S064212 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B100126 v.
Div. 3 James Chester West, Appellant
S064821 Appellant's petition for review DENIED.

2nd Dist. F S Land Development Company et al., Appellants
B101376 v.
Div. 1 B & E Engineers, Respondent
S064892 Respondent's petition for review DENIED.

2nd Dist. Robert E. McKee Incorporated, Respondent
B101561 v.
Div. 3 Bryant Organization Incorporated et al., Appellants
S064925 Petition for review DENIED.

2nd Dist. Oceanside 84 Ltd., Appellant
B101583 v.
B104345 Fidelity Federal Bank, Respondent
Div. 4 Appellant's petition for review DENIED.
S064214

2nd Dist. People, Respondent
B101596 v.
Div. 3 Ricky Darnell Hammonds, Appellant
S064711 Appellant's petition for review DENIED without prejudice to
filing a petition for writ of habeas corpus in the sentencing court.
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,
fn. 13.)

2nd Dist. James E. Bostwick et al., Appellants
B101677 v.
Div. 6 Albert Magnuson et al., Respondents
S064730 Petition for review DENIED.

2nd Dist. People, Respondent
B101987 v.
Div. 4 Vincent Maldonado, Appellant
S064841 Appellant's petition for review DENIED without prejudice to
filing a petition for writ of habeas corpus in the sentencing court.
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,
fn. 13.)

2nd Dist. People, Respondent
B102176 v.
Div. 7 Ricardo Allen, Appellant
S064710 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B102193 v.
Div. 1 Manuel Velasco, Appellant
S064738 Appellant's petition for review DENIED.

2nd Dist. Bararina Hindoyan, Respondent
B102358 v.
Div. 3 Elizabeth Allen, Appellant
S064902 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B102453 v.
Div. 5 Stanton Edward Rose, Appellant
S064026 Appellant's petition for review DENIED.
Kennard, J., and Werdegarr, J., are of the opinion the petition
should be granted.

2nd Dist. Mary C. DeYoung et al., Appellants
B102495 v.
Div. 4 Marilyn Lee Holbrook Stevens Hargrave et al., Respondents
S063935 Petition for review DENIED.

2nd Dist. People, Respondent
B102657 v.
Div. 1 Rodney Washington, Appellant
S064931 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B102872 v.
Div. 5 Eppie McClain, Appellant
S064342 Appellant's petitions for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B102878 v.
Div. 1 Malik Jones, Appellant
S064493 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B102990 v.
Div. 7 Charles J. Ramirez, Appellant
S064898 Appellant's petition for review DENIED without prejudice to
filing a petition for writ of habeas corpus in the sentencing court.
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,
fn. 13.)

2nd Dist. People, Respondent
B103687 v.
Div. 4 Alfred Johnson, Appellant
S063788 Appellant's petition for review DENIED.

2nd Dist. B103792 1st Dist. S064777	People, Respondent v. Sonja Marcus, Appellant Appellant's petition for review DENIED.
2nd Dist. B103989 Div. 2 S064814	People, Respondent v. Bobby Joe Jones, Appellant Appellant's petition for review DENIED.
2nd Dist. B103998 Div. 7 S064884	Agnes D. Schleef, as Administrator, etc., Appellant v. Doris E. Piggee, Respondent ----- Estate of Cyril Ferguson, Deceased Petition for review DENIED.
2nd Dist. B104208 Div. 7 S064038	People, Respondent v. Samuel Jones, Appellant Appellant's petitions for review DENIED.
2nd Dist. B104474 Div. 4 S064709	People, Respondent v. Benjamin Angel Gutierrez, Appellant Appellant's petition for review DENIED.
2nd Dist. B104765 Div. 6 S064143	People, Respondent v. Rudy Preston Maes, Appellant Appellant's petition for review DENIED.
2nd Dist. B104894 Div. 5 S064741	People, Respondent v. Manuel R. Sanchez, Appellant Appellant's petition for review DENIED.
2nd Dist. B105099 Div. 6 S064657	People, Respondent v. Joaquin Ayala, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B105931 v.
Div. 5 Mario Anthony Mitchell, Appellant
S064789 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106029 v.
Div. 3 Herbert Johnson, Appellant
S064700 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106057 v.
Div. 2 Kenneth D. Ray, Appellant
S064829 Appellant's petition for review DENIED.

2nd Dist. Lourdes Barajas et al., Appellants
B106250 v.
Div. 2 Edell Group et al., Respondents
S064731 Respondents' petition for review DENIED.

2nd Dist. People, Respondent
B106264 v.
Div. 1 Mark Williams, Appellant
S064653 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106722 v.
Div. 3 Marion Barker, Appellant
S064806 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106726 v.
Div. 1 Thomas Alan Fields, Appellant
S064549 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B106733 v.
Div. 4 Gregory Churchill, Appellant
S063997 Respondent's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B106836 v.
Div. 3 Pablo Dominguez Garcia, Appellant
S064652 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107678 v.
Div. 6 Richard Cyril Adkins, Appellant
S064792 Appellant's petition for review DENIED.

2nd Dist. Ernest F. Valdez, Appellant
B107813 v.
Div. 7 City of Los Angeles, Respondent
S064880 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B108048 v.
Div. 6 Leon Harris, Jr., Appellant
S064718 Appellant's petition for review DENIED.

2nd Dist. Elane Parker et al., Appellants
B108058 v.
Div. 1 Pacific Bell, Respondent
S064878 Petition for review DENIED.

2nd Dist. People, Appellant
B108296 v.
Div. 4 Edwin Leonel Zacena, Respondent
S064708 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B108685 v.
Div. 1 Michael Morgan, Appellant
S064775 Appellant's petition for review DENIED.

2nd Dist. Alan Louis Thompson, Petitioner
B113957 v.
Div. 4 Los Angeles County Superior Court, Respondent
S064716 People, Real Party in Interest
Application for stay and petition for review DENIED as moot.

2nd Dist. Jay Glick et al., Appellants

B114034 v.
Div. 7 Synergen Inc. et al., Respondents
S064803 Petition for review DENIED.

2nd Dist. John Davies Corbin, Petitioner
B114036 v.
Div. 1 Los Angeles County Superior Court, Respondent
S063978 People, Real Party in Interest
 Petition for review DENIED.

2nd Dist. Argonaut Insurance Company, Petitioner
B114716 v.
Div. 5 Los Angeles County Superior Court, Respondent
S064729 Los Angeles Metropolitan Transportation Authority,
 Real Party in Interest
 Petition for review DENIED.

2nd Dist. John C. Bedrosian, Petitioner
B115316 v.
Div. 2 Los Angeles County Superior Court, Respondent
S064522 National Medical Enterprises Incorporated, Real Party in Interest
 Petition for review DENIED.
 Baxter, J., did not participate.

2nd Dist. Ronald Gerald Mitchell, Petitioner
B115418 v.
Div. 2 Los Angeles County Superior Court, Respondent
S064822 People, Real Party in Interest
 Petition for review DENIED.

2nd Dist. In re Antolin Andrews
B115653 on
Div. 1 Habeas Corpus
S064933 Petition for review DENIED.

2nd Dist. Stormy J. Laney, Petitioner
B115584 v.
Div. 1 Los Angeles County Superior Court, Respondent
S064832 Gateway Freight Services et al., Real Parties in Interest
 Petition for review DENIED.

2nd Dist. Dolores Naegle et al., Petitioners
B115813 v.
Div. 3 Los Angeles County Superior Court, Respondent
S064984 U.S.A. Incorporated Home Depot, Real Party in Interest
Application for stay and petition for review DENIED.

2nd Dist. Duane Devereaux Thompson, Petitioner
B116153 v.
Div. 6 San Luis Obispo County Superior Court, Respondent
S065478 People, Real Party in Interest
Application for stay and petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. Earl W. Anderson et al., Respondents
C021112 v.
C021945 D & D Kaye et al., Appellants
C022802 Appellants' petition for review DENIED.
S064862

3rd Dist. Roberta Campos, Petitioner
C021883 v.
S064810 Eloise Anderson, etc. et al., Respondents
Petition for review DENIED.

3rd Dist. People, Respondent
C023038 v.
S064762 Kenneth Earl Scott, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C023234 v.
S064912 Harold Ceary Baxter, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C023602 v.
S064046 Rhonda Lee Leland, Appellant
Appellant's petition for review DENIED.

3rd Dist. C023816 S064751	People, Respondent v. Tinka Sue Anderson, Appellant Appellant's petition for review DENIED.
3rd Dist. C024089 S064954	In re Michael C., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Michael C., Appellant Petition for review DENIED.
3rd Dist. C024626 S063682	In re Jacob Daniel R., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Jacob Daniel R., Appellant Petition for review DENIED. Chin, J., is of the opinion the petition should be granted.
3rd Dist. C024857 S064791	People, Respondent v. Michael Shawn Walker, Appellant Appellant's petition for review DENIED.
3rd Dist. C024870 S064670	People, Respondent v. Ronald Dean Johnson, Appellant Appellant's petition for review DENIED.
3rd Dist. C025814 S064942	Brandon Clark, a Minor, etc., Appellant v. County of Yuba et al., Respondents Petition for review DENIED.

3rd Dist. In re Patrick G., Persons Coming Under the Juvenile Court Law
C026020 -----
S064842 Department of Health and Human Services, Respondent
v.
Sandra G. et al., Appellants
Petition for review DENIED.

3rd Dist. Eric T., Respondent
C027279 v.
S065405 Robert P. et al., Appellants
Application for stay and petition for review DENIED.

3rd Dist. Steven Alan Moran, Petitioner
C027489 v.
S064735 Sutter County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. In re Gene and Earl Mullin
C027498 on
S064825 Habeas Corpus
Petition for review DENIED.
Brown, J., did not participate.

3rd Dist. Martin De La Rosa, Petitioner
C027514 v.
S064647 Sacramento County Superior Court, Respondent
Garnica Corporation, Real Party in Interest
Petition for review DENIED.

3rd Dist. In re John A. Manning
C027543 on
S064932 Habeas Corpus
Petition for review DENIED on the merits.

3rd Dist. William J. Redder, Petitioner
C027557 v.
S064714 Sacramento County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

4th Dist. Lucy Gonzales, Respondent

D021735 v.
Div. 1 Personal Storage Incorporated, Appellant
S063829 Appellant's petition for review DENIED.
 Kennard, J., and Chin, J., are of the opinion the petition should
 be granted.
 The request for an order directing depublication of the opinion is
 DENIED.

4th Dist. Allstate Insurance Company, Appellant
D023201 v.
Div. 1 Mr. Coffee, Inc., Respondent
S064732 Respondent's petition for review DENIED.

4th Dist. People, Respondent
D025671 v.
Div. 1 Ishmael Delaney, Appellant
S064197 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D026061 v.
Div. 1 Roberto Romero, Appellant
S064702 Appellant's petition for review DENIED.

4th Dist. Surfrider Foundation, Appellant
D026312 v.
Div. 1 City of San Diego, Respondent
S064646 Appellant's petition for review DENIED.

4th Dist. People, Appellant
D026379 v.
Div. 1 Amwest Surety Insurance Company, Respondent
S064054 Respondent's petition for review DENIED.

4th Dist. People, Respondent
D026455 v.
Div. 1 William Gene Merritt, Appellant
S064274 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D027096 v.
Div. 1 Benjamin Sanchez Hernandez, Appellant
S063952 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D027594 v.
Div. 1 Michael Dwane Hooper, Appellant
S064739 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D027727 v.
Div. 1 Randy Dale Mitchell, Appellant
S064645 Appellant's petition for review DENIED.

4th Dist. In re Esther S., a Person Coming Under the Juvenile Court Law
D027248 -----
Div. 1 People, Respondent
S064888 v.
Esther S., Appellant
Appellant's petition for review DENIED.

4th Dist. Sentinel Insulation Incorporated, Respondent
E016560 v.
Div. 2 San Bernardino City Unified School District, Appellant
S064915 Petition for review DENIED.

4th Dist. Trans-Columbia Corporation, Respondent
E016750 v.
Div. 2 Century Homes Communities, Appellant
S064551 Appellant's petition for review DENIED.

4th Dist. Rick McCabe et al., Appellants
E017106 v.
Div. 2 Canyon Lake Property Owners Association, Respondent
S064428 Petition for review DENIED.
The requests for an order directing publication of the opinion are
DENIED.

4th Dist. People, Respondent
E017318 v.
Div. 2 Robert Lamont Curry et al., Appellants
S063797 Appellants' petitions for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
E017438 v.
E008519 Leonard Henderson, Appellant
Div. 2 Appellant's petition for review DENIED.
S064715

4th Dist. People, Respondent
E017897 v.
Div. 2 Richard Lee Bara, Appellant
S064668 Appellant's petition for review DENIED.
The request for an order directing publication of the opinion is DENIED.

4th Dist. Alfred Tijerina, Appellant
E018262 v.
Div. 2 County of Riverside et al., Respondents
S063802 Petition for review DENIED.
The request for an order directing publication of the opinion is DENIED.

4th Dist. People, Respondent
E018312 v.
Div. 2 Brian Anthony Westbrook, Appellant
S064823 Appellant's petitions for review DENIED.

4th Dist. People, Respondent
E018515 v.
Div. 2 Kevin E. Blackburn, Appellant
S064920 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
E018789 v.
Div. 2 Ernest Anthony Graves, Appellant
S064078 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E018791 v.
Div. 2 Patrick Williams, Appellant
S064689 Appellant's petition for review DENIED without prejudice to
filing a petition for writ of habeas corpus in the sentencing court.
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,
fn. 13.)

4th Dist. People, Respondent
E018912 v.
Div. 2 Lawrence F. Dalvito, Appellant
S063878 Appellant's petition for review DENIED.
The request for an order directing depublication of the opinion is
DENIED.

4th Dist. People, Respondent
E018957 v.
Div. 2 Andrew Leyva, Appellant
S064761 Appellant's petition for review DENIED.

4th Dist. In re Felix Velasquez on Habeas Corpus
E019220 -----
E020250 People, Respondent
Div. 2 v.
S064198 Felix Velasquez, Appellant
Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019359 v.
Div. 2 Craig Steven Williams, Appellant
S064654 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E019862 v.
Div. 2 Donald Eugene Johnson, Appellant
S064890 Appellant's petition for review DENIED.

4th Dist. In re J'mel Abdul Carter
E021017 on
Div. 2 Habeas Corpus
S064183 Petition for review DENIED.

4th Dist. E021114 Div. 2 S064684	In re James R. Rankin on Habeas Corpus Petition for review DENIED.
4th Dist. E021153 Div. 2 S064756	In re Everett L. White on Habeas Corpus Petition for review DENIED.
4th Dist. G016073 Div. 3 S064921	Rodrigo Fernandez, Respondent v. William Estanislau et al., Appellants Petition for review DENIED.
4th Dist. G018327 Div. 3 S064705	People, Respondent v. Charles Patrick Drew, Appellant Appellant's petition for review DENIED.
4th Dist. G018901 Div. 3 S064848	People, Respondent v. Sara Stapleton, Appellant Appellant's petition for review DENIED.
4th Dist. G019062 Div. 3 S064875	People, Respondent v. Edwin Paul Maher, Appellant Appellant's petition for review DENIED.
4th Dist. G019391 Div. 3 S064656	People, Respondent v. Celerino Albarran Ochoa, Appellant Appellant's petition for review DENIED.
4th Dist. G019679 Div. 3 S064874	In re the Marriage of Gerald and Ruth Lundahl ----- Gerald D. Lundahl, Respondent v. Ruth M. Telford, Appellant Petition for review DENIED.

4th Dist. G020852 Div. 3 S064605	In re Shaquanda T., a Person Coming Under the Juvenile Court Law ----- Orange County Social Services Agency, Respondent v. Michelle T., Appellant Petition for review DENIED.
4th Dist. G022234 Div. 3 S064768	John Marks, Petitioner v. Orange County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. G022250 G022217 Div. 3 S064740	In re Eder T. on Habeas Corpus Petition for review DENIED.
5th Dist. F023933 S064750	People, Respondent v. Fernando Sam-Sin, Appellant Appellant's petition for review DENIED.
5th Dist. F024060 S063820	People, Respondent v. Ty Toey, Appellant Appellant's petition for review DENIED.
5th Dist. F024788 S063882	People, Respondent v. Sokha Toeum, Appellant Appellant's petition for review DENIED.
5th Dist. F025700 S064699	People, Respondent v. Keith Edward Erickson, Appellant Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025727 v.
S064736 Richard James Nicholls, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025782 v.
S064674 Victor Pricilliano Alcocer, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F025832 v.
S064881 Mario Tonio Figueroa, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026040 v.
S064667 James Earl Douglas, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026253 v.
S064556 Ruben Medina Solorio, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026260 v.
S064650 Joe Gonzales Alvarez, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026346 v.
S064937 Ronald Keith Bright, Appellant
Appellant's petition for review DENIED.

5th Dist. In re Meranda P., a Person Coming Under the Juvenile Court Law
F026419 -----
S064200 Stanislaus County Department of Social Services, Respondent
v.
Noeline P., Appellant
And Companion Case
Petition for review DENIED.
The requests for an order directing depublication of the opinion
are DENIED.

5th Dist. In re Elodio O., a Person Coming Under the Juvenile Court Law
F026659 -----
S064217 People, Respondent
v.
Elodio O., Appellant
Petitions for review DENIED.

5th Dist. People, Respondent
F026673 v.
S064671 William Allen Smith, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026834 v.
S064836 William T. Owens, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F026868 v.
S064785 Eddy Ray Walker, Appellant
Appellant's petition for review DENIED.

5th Dist. In re Thomas H., a Person Coming Under the Juvenile Court Law
F026889 -----
S064866 People, Respondent
v.
Thomas H., Appellant
Appellant's petition for review DENIED.

5th Dist. F027373 S064861	People, Respondent v. Louis John Finley, Appellant Appellant's petition for review DENIED.
5th Dist. F027737 F027741 S064967	In re David W. et al., a Minor ----- Tulare County Department of Social Services, Respondent v. Carla J., Appellant And Companion Case Petition for review DENIED.
6th Dist. H013981 S064124	People, Respondent v. Matias Espinoza Soto, Appellant Appellant's petition for review DENIED.
6th Dist. H014909 S064839	People, Respondent v. Martin Joel McCuiston, Appellant Appellant's petition for review DENIED.
6th Dist. H015053 S063816	People, Respondent v. Richard James Dabbs, Appellant Appellant's petition for review DENIED.
6th Dist. H015069 H016028 S064021	In re Mark Webb on Habeas Corpus ----- People, Respondent v. Mark Webb, Appellant Appellant's petition for review DENIED.
6th Dist. H015303 S064949	People, Respondent v. Phill Martin, Jr., Appellant Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015434 v.
S063989 Bruce Allen Mackin, Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H015468 v.
S064856 Brian Eric Scobey, Appellant
Appellant's petition for review DENIED.

6th Dist. In re Gerardo Z, a Person Coming Under the Juvenile Court Law
H016159 -----
S064651 People, Respondent
v.
Gerardo Z., Appellant
Appellant's petition for review DENIED.

6th Dist. People, Respondent
H017104 v.
S064981 Chuong Minh Do et al., Appellants
Appellants' petition for review DENIED without prejudice to
filing a petition for writ of habeas corpus in the sentencing court.
(*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530,
fn. 13.)

6th Dist. Robert Kirchner, Petitioner
H017158 v.
S064859 Workers' Compensation Appeals Board et al., Respondents
Petition for review DENIED.

6th Dist. Deloitte & Touche, L.L.P., Petitioner
H017333 v.
S064441 Santa Clara County Superior Court, Respondent
Norman Hirsch, Real Party in Interest
Application for stay and petition for review DENIED.
Baxter, J., did not participate.

6th Dist. Kathleen Justi, Petitioner
H017336 v.
S064643 Santa Clara County Superior Court, Respondent
Jeffrey Justi, Real Party in Interest
Petition for review DENIED.
The requests for judicial notice are denied.

6th Dist. Donald B. Goodwin, Petitioner
H017337 v.
S064928 Santa Clara County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

2nd Dist. In re Jasmine and Elizabeth S.
B110106 -----
B111662 Los Angeles County Dept. of Children & Family Svcs., Respondent
Div. 1 v.
S065319 Aubrey S., Appellant
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed September 8, 1997, which appears at 58 Cal.App.4th 30. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

1st Dist. People, Respondent
A072760 v.
A074721 Samuel Mowatt, Appellant
Div. 3 -----
S064215 In re Samuel Mowatt on Habeas Corpus
The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.

1st Dist. James Hansell
A074301 v.
A075058 A. P. Green Services, Inc. et al., Respondents
A076489 The request for an order directing publication of the opinion in
Div. 5 the above entitled cause is DENIED.
S063785

1st Dist. People, Respondent
A075899 v.
Div. 5 Wade Freeman, Appellant
S062830 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Michael W. Mason et al., Appellants
B098813 v.
Div. 3 State of California Legislature et al., Respondents
S063329 White Citizens of California, Real Party in Interest
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Michael Rosenthal, Appellant
B099310 v.
Div. 7 Mobil Oil Corporation et al., Respondents
S063706 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B103943 v.
Div. 5 Fernando O., Appellant
S063860 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B104152 v.
Div. 3 Kenneth Earl Berry, Appellant
S065044 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B104832 v.
Div. 6 Joe Christopher Moore, Appellant
S063062 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Appellant
B106237 v.
Div. 1 Leland Clark Bishop, Respondent
S064754 The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.
Baxter, J., is of the opinion the request should be granted.

2nd Dist. Geneva Harper, Appellant
B107758 v.
Div. 5 Wausau Insurance Corporation, Respondent
S064387 The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.

2nd Dist. In re Lakisha S., a Person Coming Under the Juvenile Court Law
B112194 -----
Div. 5 Tynisha S., Petitioner
S064234 v.
Los Angeles County Superior Court, Respondent
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. Wellington Horizons Limited et al., Appellants
D022189 v.
Div. 1 Quality Mortgage USA Incorporated et al., Respondents
S064869 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. Lee McCalister et al., Appellants
D023084 v.
Div. 1 Ramona Unified School District, Respondent
S064381 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. In re Adam R., a Person Coming Under the Juvenile Court Law
D027535 -----
Div. 1 People, Respondent
S064947 v.
Adam R., Appellant
The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.

4th Dist. People, Respondent

G018699

V.

Div. 3

Ramon R. Gonzales, Appellant

S064886

The request for an order directing publication of the opinion in the above entitled cause is DENIED.

S064213

In re the Accusation of Gail Wilts

Against Certain Attorney(s)

Petition for review DENIED.

S064638

In re the Accusation of Nancy Tran

Against Certain Attorney(s)

Petition DENIED.

S064924

In re the Accusation of Josefina Boada Enea

Against Certain Attorney(s)

Petition DENIED.

S025121

People, Respondent

V.

Robert Clarence Taylor, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including December 22, 1997.

S033975

People, Respondent

V.

Michael Stephen Combs, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including January 20, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S050142 In re Larry Douglas Lucas
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's return to the order to show cause is extended to and including December 15, 1997.

S060985 Valley Medical Transport, Inc., Respondent
 v.

Apple Valley Fire Protection District et al., Appellants
County of San Bernardino et al., Respondents

On application of appellant and good cause appearing, it is ordered that the time to serve and file a single thirty page reply brief on the merits is hereby granted to November 19, 1997.

S062156 Dan Briggs et al., Appellants
 v.

Eden Council for Hope & Opportunity et al., Respondents

On application of respondent Eden Council and good cause appearing, it is ordered that the time to serve and file respondent's opening brief on the merits is extended to and including December 15, 1997.

No further extensions of time are contemplated.

S062455 In re Jerry Grant Frye
 on
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including January 9, 1998.

S063433 In re Joseph T. Musselwhite
 v.
 Habeas Corpus

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including January 9, 1998.

S004707 People, Respondent

Crim. v.

25218 Anderson Hawthorne, Jr., Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant, filed October 14, 1997, is granted.

The order appointing the State Public Defender as counsel of record for appellant Anderson Hawthorne, Jr., filed April 2, 1986, is hereby vacated.

The Federal Public Defender for the Central District of California is hereby appointed as attorney of record for appellant Anderson Hawthorne, Jr. Counsel is appointed for purposes of all appropriate post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S012279 People, Respondent

v.

David Allen Lucas, Appellant

Appellant's "Application for Stay of Recod Certification Pending Review of Trial Court's Rulings by this Court" is denied as moot.

S025122 People, Respondent

v.

Deondre Arthur Staten, Appellant

Appellant's "Motion to Augment Record on Appeal" is denied in part, and denied in part without prejudice to the filing of a new and different motion.

To the extent that the motion seeks the "confidential applications for appointment of second counsel (and all supporting declarations and memoranda of points and authorities in support thereof) filed April 25, 1991 and June 5, 1991," it is denied. The record on appeal already contains the documents in question in the clerk's transcript. ([4] C.T. 901-910.)

To the extent that the motion seeks the confidential "defense request for funds, submitted pursuant to Penal Code section 987.9, on March 14, 1991, all subsequent defense funding requests, and all orders made by the Superior Court concerning these funding requests," it is denied without prejudice to the filing of a new and

different motion specifying the documents that are absent from the record on appeal, which already contains at least some such documents in the clerk's transcript (2 C.T. 503-505, 587-588, 599-602; 3 C.T. 645-647, 850, 852-859).

S008840 People, Respondent

v.

Herbert James Coddington, Appellant

Appellant's "motion for transportation order" is denied without prejudice to a future request in the event that (a) appellant makes a prima facie showing for relief, and (b) this court issues an order to show cause.

